

Exhibit 72

Monique Russell

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - - - - X
MONIQUE RUSSELL, JASMINE :
RIGGINS, ELSA M. POWELL :
and DESIRE EVANS, : Civil Action No.
Plaintiffs, : 18-5629
v. :
EDUCATIONAL COMMISSION FOR :
FOREIGN MEDICAL GRADUATES, :
Defendant. :
- - - - - X

Videotaped Deposition Of MONIQUE RUSSELL
Washington, D.C.
Monday, September 16, 2019
1:51 p.m.

Job No. 88394
Pages: 1 - 136
Reported by: Dana C. Ryan, RPR, CRR, CSR (GA)

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1 of the head, we might be able to see it on the
2 video, but it might not be clear on the
3 transcript. And, so, if I ask you for an audible
4 response or if I repeat your answer to make sure
5 that I heard it correctly, that's why I'm doing
6 it, so that the court reporter can take down the
7 questions and answers as best she can.

8 Is that understood?

9 A Yes.

10 Q This is not an endurance contest. If
11 you need to take a break at any point in time, use
12 the facilities, talk to your counsel, that's fine.
13 Just let me know and we'll -- we'll go ahead and
14 do that, okay?

15 A Okay.

16 Q There may be questions that I have to
17 ask you today that relate to subjects of a
18 personal nature, and I'm not trying to pry or do
19 anything other than get facts that I need to have
20 to understand the basis for the lawsuit, and
21 that's why I'm asking those questions, okay?

22 A Okay.

23 Q If at any time you don't understand my
24 question or didn't hear my question and want me to
25 repeat it or rephrase it, just let me know, and

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1 either the court reporter will read it back to you
2 or I'll try again to do a better job of asking my
3 question, okay?

4 A Okay.

5 Q Are you on any medication today that
6 would affect your ability to remember things or to
7 testify truthfully?

8 A No.

9 Q Okay. As you sit here today, can you
10 think of any reason why you couldn't testify
11 truthfully and answer questions to the best of
12 your ability?

13 A No.

14 Q Okay. Do you have any questions for me
15 before we start?

16 A Not at this time.

17 Q Okay. Can you give me your full name,
18 please?

19 A Sure. My name is Monique Melissa
20 Russell.

21 Q Okay. And your date of birth?

22 A July 16th, 1977.

23 Q And what's your current address?

24 A In the States, it is 1906 Beeches Glory
25 Path, Annapolis, Maryland 21401, but I am

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1 currently residing in Costa Rica on a two-year
2 contract.

3 Q Okay. And when did you start your time
4 in Costa Rica?

5 A On August of last year.

6 Q So August of 2018?

7 A Yes.

8 Q And when are you scheduled to return
9 completely from the two-year contract? August of
10 '20?

11 A I'm in the second year of my two-year
12 contract.

13 Q And who is the contract with?

14 A Country Day School.

15 Q And what job are you doing in Costa
16 Rica for them?

17 A I'm the curriculum coordinator for the
18 early childhood and elementary schools.

19 Q And what is your responsibilities in
20 that job?

21 A I work with the principals of both
22 schools on alignment of curriculum from
23 prekindergarten to fifth grade, and provide
24 training and professional development to all of
25 the teachers and work with them in planning

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1 meetings.

2 Q And when you say the two schools, there
3 are two separate schools in Costa Rica?

4 A No, they call them schools. Country
5 Day School is a campus that goes from early
6 childhood to high school, and so there are four
7 schools, the early childhood, elementary, middle
8 and high school, and I work with the two lower
9 schools.

10 Q And are you in Costa Rica by yourself,
11 or is your family with you?

12 A My family is with me.

13 Q And who is that that's with you there?

14 A My husband and my son.

15 Q Okay. And your husband's name is?

16 A Christopher William Russell.

17 Q Okay. And how old is he?

18 A He is -- how old am I? -- 46.

19 Q And your son?

20 A Is Luka.

21 Q Okay. And how old is Luka?

22 A Three.

23 Q Okay. And was Luka born or May 25th,
24 2016?

25 A Yes.

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1 Q Okay. Do you have any other children?

2 A No.

3 Q And how long have you been married?

4 A For five years in October.

5 Q Okay. And you are here in Washington,
6 D.C. today having returned from Costa Rica;
7 correct?

8 A Yes, I flew from Costa Rica.

9 Q Okay. And when did you arrive here in
10 Washington?

11 A Last night.

12 Q Okay. And what, if anything, have you
13 done to prepare to come and testify here today in
14 this deposition?

15 A I reviewed my interrogatories and the
16 paperwork of the course --

17 Q Uh-huh.

18 A -- of the case, but that's about it.

19 Q Okay. You -- you have filed, as I
20 understand it, two different lawsuits related to
21 your interactions with a Dr. Charles Akoda;
22 correct?

23 A Yes.

24 Q Did you review materials related to
25 both of those cases before coming in to testify

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1 teacher?

2 A When I was a classroom teacher, I
3 worked ten months. I did not work summers.

4 Q Okay. And what did you do during the
5 summers?

6 A Some summers I would work; I would wait
7 tables.

8 Q Uh-huh.

9 A Or -- I'm trying to think what other --
10 but jobs like that. One summer I traveled.

11 Q Okay. Recuperated and got ready for
12 the next school year?

13 A Yes.

14 Q I don't blame you.

15 I want to talk a little bit about --
16 what do I want to talk about? Strike that.

17 Let me ask you some background
18 questions about the lawsuit so I understand
19 what -- what you know and what you're familiar
20 with.

21 When did you first decide to retain
22 Mr. Zajdel as your -- as your counsel?

23 A I don't know exactly what month, but it
24 was probably more than a month after I found out
25 about Akoda.

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1 Q And if I understand from your discovery
2 responses in the case, you believe that you found
3 out about the fact that Dr. Akoda, who I believe
4 helped deliver your son, Luka, you found out he
5 had pled guilty in June of 2017?

6 A I'm not sure if that's the time, but if
7 that's what your record shows, probably.

8 Q We can go through, and we probably will
9 go through, some of the questions. I'm not trying
10 to -- to trick you on that, so . . .

11 Why don't you tell me just generally
12 how you came to learn about any issues with
13 Dr. Akoda?

14 A Sure. So I -- in the neighborhood
15 where I lived at the time, there was a parent
16 listserv where people would post recommendations
17 or ask for advice and things like that. And
18 someone asked for a recommendation for an OB/GYN.
19 And I wanted to recommend my OB/GYN, Dr. Waldrop,
20 but I wanted to make sure that the person knew if
21 they went to Dr. Waldrop that there was a chance
22 that they would end up having their baby delivered
23 with Akoda, and I did not have a good experience
24 with him during the delivery, and so I wanted to
25 make sure the person was aware of that.

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1 And I went to his Web site to confirm
2 the spelling of his name, and he wasn't on their
3 Web site anymore. So I went and looked at my
4 paperwork, confirmed the spelling, I looked him up
5 to see like, maybe he moved somewhere else so that
6 wouldn't be an issue for this person. And I
7 discovered a press release from the Department of
8 Justice saying that he had been arrested for
9 charges of fraud very shortly after he performed a
10 C-section on me.

11 Q And the physician that you mentioned,
12 Dr. Waldrop?

13 A Waldrop.

14 Q Waldrop. That was your OB/GYN?

15 A Yes.

16 Q How long -- when did you first start
17 going to see Dr. Waldrop?

18 A I'm not sure. Maybe three months into
19 my pregnancy.

20 Q And how did you come to start visiting
21 Dr. Waldrop?

22 A She was recommended by a woman that I
23 met on the hospital tour.

24 Q Okay. And what hospital was that?

25 A P.G. County, Dimensions Hospital.

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1 Q And did you have a OB/GYN before
2 Dr. Waldrop?

3 A I had a -- I saw a high-risk
4 specialist, but I didn't have a regular OB/GYN.

5 Q Okay. And what was the name of the
6 high-risk specialist?

7 A I don't remember. I didn't see that
8 doctor for the most of my pregnancy.

9 Dr. Footer, I think.

10 Q F-O-O-T-E-R?

11 A Yes. But there are two Dr. Footers.

12 Q Okay.

13 A The older Dr. Footer.

14 Q And that was -- and, again, I'm not
15 trying to be overly personal on this. I'm just
16 trying to get the information.

17 Were you at high risk because of your
18 age or because of other conditions?

19 A Yes, primarily because of my age, and I
20 had bleeding at the beginning of my pregnancy, and
21 so they wanted to monitor that.

22 Q And, so, who was it that -- if anyone,
23 that directed you to Dr. Footer as the high-risk
24 specialist?

25 A A coworker.

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1 Q Okay. So this was someone at the D.C.
2 Public Schools who said here's someone to -- to go
3 see as a high-risk specialist?

4 A Yes.

5 Q Okay. And I think you were saying that
6 you didn't see Dr. Footer for all that long during
7 your pregnancy, but within about the first three
8 months, you had decided to go see Dr. Waldrop?

9 A Yes.

10 Q And how did you come to see
11 Dr. Waldrop? That was a recommendation on the
12 hospital tour?

13 A Yes, from another -- another woman in
14 the tour was asking a lot of the same questions
15 that I would be asking, and so she seemed to want
16 the same things in her birth, and I asked her who
17 she -- who her doctor was, and she recommended
18 Dr. Waldrop.

19 Q Okay. I saw references in your
20 discovery responses to a Dr. Moore?

21 A Yes.

22 Q Who is Dr. Moore?

23 A Dr. Moore owns the practice that
24 Dr. Waldrop works for and Akoda was working for.

25 Q And -- and is that Moore and

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1 **Associates; is that --**

2 A Yes.

3 Q -- how they're known as?

4 A Yes.

5 Q Okay. And did you ever meet Dr. Moore
6 **during your pregnancy?**

7 A I did.

8 Q Okay.

9 A I may have been seen by Dr. Moore once.
10 I met him for sure, like, just to see -- know who
11 he was in case he were to deliver my baby, and I
12 may have been seen by him once when Dr. Waldrop
13 wasn't available.

14 Q Okay. Do you know how many other
15 **doctors besides Dr. Akoda and Dr. Waldrop and**
16 **Dr. Moore that were in the practice when you were**
17 **going there?**

18 A I believe there were only those three.

19 Q Okay. Did you ever hear of a
20 **Dr. Chaudry?**

21 A I have heard of him.

22 Q And how do you know of Dr. Chaudry?

23 A I believe that Akoda was working for
24 him in a separate practice at the time.

25 Q And how did you come to learn that?

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1 A From Dr. Moore.

2 Q When you -- when you decided to go with
3 Dr. Waldrop of Dr. Moore's practice as your
4 primary OG -- OB/GYN, what type of research did
5 you do on Dr. Waldrop?

6 A I looked up her -- I looked up reviews.
7 I looked her up on different sites where they give
8 information about credentials and patient reviews.

9 Q Do you remember what any of those were
10 called?

11 A I don't know all of them. I know I
12 looked on Yelp because they give patient reviews,
13 and I think they're pretty honest, but I don't
14 know where I looked up her affiliations.

15 Q Okay. Do you know whether you went to
16 State of Maryland licensing or credential sites to
17 look up Dr. Waldrop?

18 A No, I did not.

19 Q Do you know whether you went to the
20 American Medical Association to look up
21 Dr. Waldrop?

22 A I may have gone to the American Medical
23 Association.

24 Q Okay.

25 A Or the association for gynecologists.

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1 Q Okay. And do you know whether there
2 was information on Dr. Waldrop there?

3 A If there was, I didn't find anything
4 negative.

5 Q Okay. And when you went to meet with
6 Dr. Waldrop -- I think you mentioned already you
7 met with Dr. Moore at least once, perhaps, as
8 well -- did you ever meet with Dr. Akoda?

9 A I did not before I was in labor.

10 Q Okay. But you understood he was a
11 member of the practice of Dr. Moore; correct?

12 A Yes, but he did not see patients.

13 Q How do you know he didn't see patients?

14 A They told me that he did not see
15 patients; that he only assisted them at the
16 hospital.

17 Q Okay. Who told you that?

18 A Dr. Moore.

19 Q Okay. And was that after you gave
20 birth to Luka or was that in an earlier meeting
21 while you were --

22 A That was before.

23 Q Okay. Did you understand from
24 Dr. Waldrop that it was possible that she would
25 not be available to help you in labor and

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1 **delivery, including a C-section if that were**
2 **necessary?**

3 A Yes, I did.

4 Q **How did you know that?**

5 A Because Dr. Moore told me that there
6 were three doctors and that if Dr. Waldrop was not
7 available, that Dr. Moore or Akoda would deliver
8 the baby. And that if Waldrop was not available
9 during the practice, then he could see me --
10 Dr. Moore could see me but Akoda would not see me
11 because he only worked at the hospital.

12 Q **And do you recall whether you filled**
13 **out a consent with Dr. Waldrop that acknowledged**
14 **that that could be the case and that you could be**
15 **seen by other doctors other than her if she was**
16 **not available?**

17 A I don't recall, but I'm sure that I
18 did.

19 Q **Okay.**

20 MR. SHAFFER: I'll mark this. Well,
21 hold on. We'll get to it.

22 BY MR. SHAFFER:

23 Q **Did you have any issues with your**
24 **pregnancy?**

25 A I did have some complications. As I

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1 mentioned, I had some bleeding early on. I also
2 have a -- a uncommon but benign
3 cardio-neurological disorder called vasovagal
4 syncope that under everyday conditions is truly
5 benign, but pregnancy exacerbated the condition.

6 Q Uh-huh. And what are some of the risks
7 or symptoms that go along with that condition?

8 A Getting dizzy and passing out.

9 Q Okay.

10 A Which is benign unless you hurt
11 yourself on the way down.

12 Q Right. Or -- or a baby if you have a
13 baby?

14 A Yes.

15 Q And, so, as a result of that, were you
16 taking any extra precautions while you were
17 pregnant? Were you anticipating the possibility
18 of having to have medication or anything like
19 that?

20 A I was not anticipating the need for any
21 medication. I was seeing a cardiologist in
22 conjunction with my gynecological visits. And
23 after seven months, I was put on essentially kind
24 of house arrest where I could do everything. I
25 just couldn't be alone for much unless -- in case

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1 I got dizzy.

2 Q Uh-huh. And did you get -- I saw some
3 reference in your -- your medical records to an
4 accommodation from D.C. Public Schools where maybe
5 you were able to work at home for a period of
6 time.

7 Was that part of this situation?

8 A Yes.

9 Q Okay. And . . .

10 A So and --

11 Q I'm sorry. Go ahead.

12 A I could be alone. I couldn't be, like,
13 out driving alone or, so I worked from home. But
14 if I was going to go out and do things, then I
15 needed somebody to be with me.

16 Q Okay. Did -- did this condition and
17 having this condition and worrying about it cause
18 you stress during the time that you were pregnant?

19 A No, not really because I've had the
20 condition for most of my life.

21 Q Uh-huh.

22 A It was -- once I realized that it
23 wouldn't impact my job, there wasn't much stress
24 related to it.

25 Q Okay. And -- and I think you said

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1 earlier that -- that Luka was born in May of 2017;
2 correct?

3 A Yes.

4 Q And was he born by C-section?

5 A Yes.

6 Q And was that a planned C-section?

7 A No, it was not.

8 Q What were the circumstances that led to
9 him being born by C-section?

10 A I had been in labor for, I believe, 32
11 hours at that point, and after a period of time,
12 they recommended that I take a drug called Pitocin
13 that they hoped would -- Akoda recommended it to
14 speed up contractions so that I would dilate.

15 Q Uh-huh.

16 A It did not have that effect.

17 And then after 30, 32 hours, he
18 recommended an epidural. Immediately after he did
19 the epidural, he said that my baby was in distress
20 and that he needed an emergency C-section.

21 Q Okay. And was your original plan for
22 birth to go to the hospital and have someone from
23 Dr. Moore's practice deliver vaginally?

24 A Yes, that was my original plan.

25 Q Okay. I saw a reference in your

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1 records to a doula or maybe two doulas?

2 A Yes.

3 Q What role, if any, had you anticipated
4 doulas playing in the birth?

5 A Doulas provide emotional support during
6 the birth. They also help to give the father a
7 break and help the father or partner --

8 Q Uh-huh.

9 A -- to be a more supportive partner.

10 Q And had you planned on having a doula
11 present for your birth?

12 A I did.

13 Q Okay. And did that occur?

14 A Yes.

15 Q Okay. And who was that?

16 A Her name is Emily. I forget her last
17 name right now. But it was Douglas of Capitol
18 Hill.

19 Q Uh-huh.

20 A And in the contract, the doula is
21 present for the first 24 hours and then after that
22 they can switch to a backup. I believe that Emily
23 was there for maybe 28 hours before she switched
24 to a backup which was her partner Nicole.

25 Q And did the doula meet you at the

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1 hospital or were you with the doula before you
2 went to the hospital?

3 A I believe that she met me at the
4 hospital.

5 Q And when you were describing the length
6 of your labor -- and I'm sorry for that length of
7 labor -- was that all at the hospital, or did it
8 start at home and then continue while you were
9 there?

10 A It started at Dr. Waldrop's office --

11 Q Okay.

12 A -- during an examination. My water
13 broke.

14 Q And -- and my understanding, because I
15 have children, too, is that sometimes when your
16 water breaks, the rest of the body may not be
17 ready to give birth vaginally, but that once the
18 water breaks, there's a certain period of time
19 before a baby is supposed to be gotten out.

20 Is that -- is that a fair summary of
21 your understanding at the time?

22 A That is my understanding.

23 Q Okay. And Pitocin, which you indicated
24 Dr. Akoda gave you, is one of the very common
25 medicines that they will give to try to move along

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1 contractions when somebody's water breaks, isn't
2 it?

3 A That is my understanding.

4 Q Okay. And -- and -- and is it also
5 your understanding that sometimes it works and
6 sometimes it doesn't work as well?

7 A I did not have much -- much
8 understanding of Pitocin.

9 Q Okay. Did you receive any information
10 from your husband or either of the doulas that
11 were in the room with you that -- when Dr. Akoda
12 said a C-section was necessary because of the baby
13 being in distress, that that wasn't a good idea;
14 that you shouldn't go ahead with that?

15 A My husband did not agree.

16 Q Okay. What did he want to do?

17 A He had been watching the monitors, and
18 he saw that the stats had gone back up and thought
19 that, you know, it looked better; that it should
20 be waited out.

21 Q Okay. And what about the doulas?

22 A The doulas do not advise on medical
23 decisions.

24 Q Okay.

25 A They're there for emotional support.

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1 Q And ultimately, the decision to have
2 the C-section was yours then?

3 A Yes.

4 Q And --

5 A I followed Akoda's advice because at
6 the time I believed him to be a real doctor.

7 Q And when you say "a real doctor," you
8 believe today that he is not a real doctor;
9 correct?

10 A He is a fake doctor.

11 Q And what do you mean when you say he's
12 a fake doctor?

13 A That he was not properly trained as a
14 doctor or credentialed as a doctor.

15 Q What -- what is it about his training
16 that you believe either does or does not make him
17 a doctor?

18 A That he used fake documents to get into
19 the country and was allowed to take medical boards
20 without proper credentials.

21 Q As you sit here today, do you know
22 whether or not Dr. Akoda has gone to medical
23 school?

24 A I do not know. The federal trial
25 transcript that I read, the U.S. government said

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1 that there was no evidence that he ever attended
2 or graduated from medical school.

3 Q Okay. Do you know whether or not
4 Dr. Akoda's medical school in Nigeria ever
5 verified the authenticity of his diploma to
6 anyone?

7 A I do not --

8 MR. ZAJDEL: Objection. Hold on for a
9 second.

10 Objection: The question assumes facts.
11 But you can answer.

12 THE WITNESS: I don't know.

13 BY MR. SHAFFER:

14 Q Do you know whether Dr. Akoda's medical
15 school in Nigeria ever verified the authenticity
16 of Dr. Akoda's diploma to ECFMG?

17 MR. ZAJDEL: Objection: The question
18 assumes facts. You can answer it.

19 THE WITNESS: I'll decline.

20 Should I answer these?

21 MR. ZAJDEL: Yeah, you can answer.

22 THE WITNESS: I don't know.

23 MR. ZAJDEL: Okay.

24 BY MR. SHAFFER:

25 Q Did -- I take it from your answers that

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1 looked them up, but that was two years ago.

2 Q Okay. Do you know whether or not --
3 strike that.

4 You mentioned that you understood that
5 ECFMG -- I forget what the word is -- verifies
6 documentation of foreign medical students or
7 graduates; correct?

8 A Yes.

9 Q What documents is it your understanding
10 ECFMG is supposed to verify?

11 A I don't know exactly, but I would
12 understand a diploma --

13 Q Okay.

14 A -- for one. From my -- it's been a
15 while since I looked this up, but I remember that
16 there were schools that were specifically, like,
17 vetted or listed with the commission, and so they
18 would have to verify that those diplomas were real
19 or that the person graduated from that
20 institution.

21 Q Anything else?

22 A I don't know.

23 Q Do you know where Dr. Waldrop went to
24 medical school?

25 A I believe she did a residency at

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1 Howard.

2 Q Okay. And how about medical school
3 before that?

4 A I don't remember.

5 Q Okay. And do you know where Dr. Moore
6 went to medical school?

7 A I don't remember.

8 Q Okay. Do you know whether Dr. Moore is
9 a -- went to a U.S. medical school or a foreign
10 medical school?

11 A I do not know.

12 Q Okay. I'll finish up on -- on the
13 birth of Luka. You had the C-section after a very
14 lengthy labor.

15 Was -- how was Luka's birth? Was he
16 born okay? Any health problems?

17 A Luka has had no health problems.

18 Q Great.

19 And did you have any symptoms or
20 physical conditions after the C-section?

21 A No, I did not, nothing atypical.

22 Q Right.

23 It's a major abdominal surgery, so
24 there was probably some recovery; right?

25 A Yes.

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1 Q **Okay.**

2 A Having knowing what -- that Akoda is a
3 fraud, I do question whether or not my C-section
4 was necessary.

5 Q **Okay. And that was something that you**
6 **started -- you thought of after you found the**
7 **information sometime in 2017 related to**
8 **Dr. Akoda's guilty plea?**

9 A Well, before that because my husband at
10 the time did not believe that it was necessary,
11 and then once I found that information out, it
12 made me question it more.

13 Q **Okay. Do you know what the -- did you**
14 **ever ask Dr. Moore or Dr. Waldrop whether they**
15 **would have had you do a C-section after 32 hours**
16 **of labor and a baby in distress?**

17 A I did not speak to Dr. Moore --
18 Dr. Waldrop once I found out Akoda was a fraud.

19 Q **Did you speak with Dr. Moore at any**
20 **point after you learned the information about**
21 **Dr. Akoda?**

22 A I did.

23 Q **Okay. Tell me about that.**

24 A I went to him to find out, A, if he
25 knew; and why he had not notified patients that

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1 Akoda was a fraud.

2 Q And at this point in time, you were not
3 a patient in that practice anymore; correct?

4 A No, I was no longer --

5 Q Okay. And --

6 A I would have still been, but I wasn't
7 pregnant or needing women's care.

8 Q Right.

9 So you -- why did you go to Dr. Moore
10 instead of Dr. Waldrop?

11 A Because Dr. Moore is the head of the
12 practice.

13 Q Okay. And how did you make contact to
14 go meet with Dr. Moore?

15 A I set an appointment.

16 Q Okay.

17 A I called the office.

18 Q Okay. Did you tell them what you
19 wanted to talk about?

20 A No. I might have. I don't know.

21 Q Okay. And do you remember how long
22 after you had met with -- you had seen the
23 information of Dr. Akoda's guilty plea that you
24 went to talk to Dr. Moore?

25 A I don't know, but it was fairly soon.

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1 Q **Okay. And what do you recall about**
2 **that meeting with Dr. Moore?**

3 A Dr. Moore seemed just as surprised, and
4 he told me that he had also been working for
5 another doctor's office, Dr. Chaudry.

6 Q **Okay. Did you ask Dr. Moore any**
7 **questions or express any views to him?**

8 A I did. I asked him -- I was trying to
9 make sense of what happened, and he told me they
10 raided his -- Akoda's office, I believe, at
11 Chaudry's office and his home, and they discovered
12 machines that make, like things to make diplomas
13 with and details like that.

14 I asked him why he didn't notify
15 patients.

16 Q **Uh-huh.**

17 A And he said that wasn't a requirement
18 or . . .

19 Q **How did you feel about that response?**

20 A It's upsetting because I think every
21 woman who has ever been a patient of Akoda should
22 know that he was not a real doctor.

23 Q **And the response you got from Dr. Moore**
24 **who, if I'm understanding it correctly, had hired**
25 **Dr. Akoda into his practice, was it wasn't his**

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1 place to do it or he didn't have to do it; it
2 wasn't a requirement for him to do it?

3 A He felt -- and I don't remember exactly
4 how he said it, but he felt that he had been duped
5 as well.

6 Q Okay. Did you ask him what type of
7 investigation or vetting he had done of Dr. Akoda
8 before hiring him?

9 A I did, and he said he had worked with
10 him in the residency program at Howard University.

11 Q Did you ask him about doing any kind of
12 background check or investigation of him before
13 hiring him?

14 A I did, and he said that he had worked
15 with him in the Howard residency program.

16 Q Okay. Did he tell you whether he had
17 done a background check or not?

18 A He did not.

19 Q He did not tell you or he did not do
20 one?

21 A He said he did not do one.

22 Q Okay. What was your reaction to that
23 answer?

24 A I was surprised, but he said that
25 because of all of the certifications and everyone

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1 who had would have had to do it by contracts, that
2 he didn't feel it was necessary --

3 Q Okay.

4 A -- because he had been -- he had gotten
5 privileges at P.G. County; he had been approved
6 from these other organizations.

7 Q Did he tell you whether or not he in
8 the future would be considering doing background
9 checks of people he hired to be doctors in his
10 practice?

11 A Yes, he did.

12 Q What did he say?

13 A He said he would consider doing that.

14 Q And what was your reaction to that?

15 A I thought that that would be a good
16 idea.

17 Q In your position at D.C. Public
18 Schools, did they have to do a background check on
19 you before hiring you?

20 A Yes, they do.

21 Q And they're your employer; right?

22 A Yes.

23 MR. SHAFFER: Let's take a short --
24 short five-minute break --

25 THE WITNESS: Okay.

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1 MR. SHAFFER: -- and then we'll pick
2 back up.

3 THE VIDEOGRAPHER: Off the record at
4 2:50.

5 (Recess -- 2:50 p.m.)

6 (After recess -- 3:15 p.m.)

7 THE VIDEOGRAPHER: We are back on the
8 record at 3:15.

9 BY MR. SHAFFER:

10 Q Ms. Russell, we're back on the record
11 after a short break. You understand you're still
12 under oath?

13 A Yes.

14 Q Okay. I'm going to talk a little bit
15 about some of the doctors that you've seen over
16 your adult life and I'll just make sure I
17 understand some of the chronology on that.

18 Do you currently have a primary care
19 doctor that you see?

20 A Not really.

21 Q Do you have a doctor that you've seen
22 from time to time for general issues, colds or
23 antibiotics or anything like that?

24 A I did, but not since discovering about
25 Akoda. I have not found a primary care doctor.

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1 Q So as of today, you don't have a
2 primary care doctor?

3 A No.

4 Q Have you seen -- have you seen any
5 doctor of any kind since June of 2017?

6 A Yes.

7 Q Who is that?

8 A I have seen -- I don't know the
9 doctor's name. It was at an urgent care facility
10 in Costa Rica called (speaking Spanish).

11 Q Okay. And why did you go there?

12 A I -- Dr. Waldrop, after my son was
13 born --

14 Q Uh-huh.

15 A -- placed an IUD --

16 Q Uh-huh.

17 A -- and I was having complications from
18 the IUD.

19 Q Okay. And, again, just so I get the
20 timeline correct, Luka was born in May of '16.

21 A Yes.

22 Q When did you have the IUD implanted?

23 A Probably six months after.

24 Q Okay. So end of 2016?

25 A That's pretty -- yes.

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1 Q Beginning of 2017, something like that?

2 A Something around there.

3 Q Okay. And when did your contract
4 with -- when did you go to Costa Rica?

5 A In the last week of July of 2018.

6 Q And -- and since July of 2018, when
7 have you come back to the States?

8 A I came back for the December break last
9 year.

10 Q So that would have been December of
11 '18?

12 A Yes.

13 And then I came back this summer in
14 July -- essentially the month of July.

15 Q Okay. And in neither December of
16 '18 or summer of '19, you didn't see any doctors
17 here in the U.S.; correct?

18 A No.

19 Q Okay. And before going to Costa Rica
20 in around July of '18, had you seen any doctors
21 between when you got the IUD put in and you went
22 to Costa Rica?

23 A I -- I'm not sure when I last saw
24 Dr. Major. Dr. Major was my primary care
25 physician for about ten years.

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1 I go for urgent care.

2 Q Okay. And, excuse me, what -- what are
3 you doing physical therapy for?

4 A My back.

5 Q Okay. And is that -- how long have you
6 had that condition?

7 A Probably since my son was about a year
8 old, so about 2017.

9 Q And has it -- has it been diagnosed
10 as --

11 A Stress related.

12 Q Okay. And when did the stress start or
13 the stress that -- that you've been told relates
14 to the back injury?

15 A The pain started after my son was about
16 a year, which would have been June of 2017.

17 Q And had you ever suffered from stress
18 or anxiety prior to June of 2017?

19 A Yes.

20 Q Okay. And what -- what can you tell me
21 about that?

22 A When I lost my sister in 2007, I had
23 stress-related back pain.

24 Q Okay. And that was -- were you treated
25 for depression or anxiety or stress in -- in 2007?

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1 A I was treated for depression, briefly.

2 Q Okay.

3 A And for, maybe two weeks, given
4 medication for my back and then taught breathing
5 exercises to alleviate the pain when stressful
6 situations occurred.

7 Q Okay. Were you ever provided an
8 antidepressant or anything like that?

9 A I was shortly after my sister's death.

10 Q Okay. And do you remember which one?

11 A I think it was Lexapro.

12 Q Okay. And for how long did you take
13 that?

14 A Several months, maybe -- no more than
15 six months.

16 Q Okay. Are you on any medications
17 today?

18 A No.

19 Q Okay.

20 A Just vitamins.

21 Q In terms of other types of treatment,
22 have you ever in your adult life seen a
23 psychologist or a psychiatrist for treatment?

24 A No.

25 Q Have you ever gone into therapy at any

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1 point in your adult life?

2 A No.

3 Q And, so, you're not currently being
4 treated by a psychiatrist or psychologist?

5 A No, I'm not.

6 Q Other than Dr. Major and Dr. Moore's
7 practice, and the doctor at urgent care and the
8 doctor that you saw in Costa Rica -- Rica
9 regarding the IUD and your physical therapist,
10 what other doctors have you seen in your adult
11 life?

12 A I have a cardiologist who helped
13 diagnose my condition.

14 Q And that's the --

15 A Dr. Howell, Shawn Howell.

16 Q And that's the condition you were
17 talking about earlier?

18 A Yes, vasovagal syncope.

19 Q You said it better than me.

20 A And I did see her periodically
21 throughout my pregnancy for monitoring.

22 Q And this is Shawn Howell?

23 A Yes.

24 Q And where is she -- where does she
25 practice?

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1 A I believe on K Street.

2 Q A couple of blocks from us here?

3 A Yes, very close by.

4 Q Does she have hospital privileges?

5 A I don't know.

6 Q Okay. Do you know where she went to
7 medical school?

8 A I don't remember. It might have been
9 Howard.

10 Q Okay. And do you know if she's board
11 certified?

12 A I believe she is.

13 Q Okay. Do you know by what board?

14 A I do not.

15 Q Okay. Any other doctors?

16 A In my adult life, certainly. I don't
17 remember any more than that. I know there are --
18 I know it -- before Dr. Major I had a different
19 primary care physician and a different OB/GYN. I
20 don't remember their names.

21 Q Okay. And do you know how you went to
22 start seeing Dr. Howell?

23 A I was recommended by Dr. Major.

24 Q Okay. And I apologize if I asked you
25 this already, but I can't remember the answer.

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1 And I don't feel equipped to do
2 background checks on doctors myself.

3 I feel violated, and it makes it very
4 difficult to -- I'm sorry. It makes it very
5 difficult to see an OB/GYN.

6 Q And I take it that when you found out
7 about Dr. Akoda's guilty plea regarding the use of
8 Social Security numbers, that . . .

9 MR. SHAFFER: There's some tissues back
10 there.

11 BY MR. SHAFFER:

12 Q Here you go.

13 I take it when you found out about the
14 guilty plea, you -- you were angry with Dr. Moore
15 and Dr. Waldrop who you had seen in connection
16 with that pregnancy; right?

17 A No. I was angry in general, but I
18 don't necessarily hold blame or anger towards
19 Dr. Waldrop and Dr. Moore because they relied on
20 sources they should have been able to trust. For
21 example, I was a teacher. I had to have
22 background -- extensive background checks done in
23 order to hold a job within DCPS. So when I rented
24 my basement apartment, and as a mother I wanted to
25 find somebody safe to live in the home with us,

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1 and a teacher applied, I didn't feel like I needed
2 to run the full background check on them because I
3 knew that they had gone through that background
4 check with the public school system. So, instead,
5 I could do -- rely on other sources because I
6 trusted the school system's background check.

7 So I didn't hold anger. I was very
8 surprised that Dr. Moore hadn't done a background
9 check, but I understood why he relied on
10 institutions like the commission to certify
11 foreign medical graduates instead of doing it all
12 over again himself.

13 Q And your view there is that your
14 understanding of ECFMG as a governmental entity,
15 that it would do background checks on people like
16 Dr. Akoda --

17 A Yes.

18 Q -- correct?

19 And I --

20 A Yes --

21 Q I'm sorry. Go ahead.

22 A At least to verify that they had
23 attended and graduated school.

24 Q And do you know whether ECFMG tried to
25 do that?

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1 A I do not know.

2 Q Okay.

3 A But if they did, they seemed to have
4 failed.

5 Q Do you know whether ECFMG ever
6 identified that Dr. Akoda had used multiple names
7 to try to come and take examinations with ECFMG?

8 A I do not know.

9 Q Do you know whether ECFMG ever helped
10 the Department of Justice build a case and
11 prosecute a case against Dr. Akoda?

12 A I do not know.

13 Q Okay. And do you know whether or not
14 ECFMG ever received verification from Dr. Akoda's
15 Nigerian medical school as to whether or not his
16 diploma was authentic?

17 MR. ZAJDEL: Objection. That assumes
18 facts.

19 You can answer.

20 THE WITNESS: I do not know.

21 MR. SHAFFER:

22 Q You filed a suit against Dimensions
23 Health Care in Maryland; correct?

24 A Yes.

25 Q When did you do that?

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1 that you believe it started about a year after
2 your -- his pregnancy. That's not reflected in
3 this report; right?

4 A No.

5 MR. ZAJDEL: Objection. I think that
6 misstates facts. I just think you misspoke.

7 THE WITNESS: Can you restate?

8 BY MR. SHAFFER:

9 Q I'll ask you the question again just to
10 make sure we're clear.

11 A Thank you.

12 Q You were -- you were saying that -- I
13 think you testified here earlier today that the
14 back pain that you were experiencing you think
15 started about a year after Luka was born; right?

16 A Yes.

17 Q Okay. And this report doesn't
18 reference --

19 A It does --

20 Q -- Monique has had back pain for the
21 past year; it just says muscle spasm since after
22 pregnancy. It's not specific as to time.

23 A Correct.

24 Q Okay. It also makes reference to right
25 elbow pain. Do you know what that was?

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1 A It was a pain in my right elbow. I
2 don't know why.

3 Q Okay. Do you recall being treated for
4 it?

5 A The pain in my elbow?

6 Q Uh-huh.

7 A Yes.

8 Q Okay.

9 A Dr. Major recommended that I get a
10 brace -- a compression brace.

11 Q Uh-huh.

12 A That helped.

13 Q Okay. Looking again at the report
14 again here from June of 2018, under the ROS
15 section, this is on page 670.

16 It references that you were reporting
17 arthralgias and joint pain.

18 A It was a shooting pain up my legs.

19 Q Okay. And so that was accurate in
20 terms of what was reflected there; correct?

21 A Yes.

22 Q Okay. And then later down in the
23 report there, it states that she -- referring to
24 you -- reports no depression, no sleep
25 disturbances, feeling safe in a relationship, no

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1 alcohol abuse, no anxiety, no hallucinations, and
2 no suicidal thoughts; correct?

3 A Yes.

4 Q And that's what you would have reported
5 at that time to Dr. Major?

6 A If he asked, then I would. But when I
7 go see a doctor, they don't ask you all of those
8 questions every time.

9 Q Okay. If we turn to page 672 are the
10 last three, this is -- it looks like a visit to
11 see Dr. Major again in July of 2018?

12 A Yes.

13 Q Do you see that?

14 Okay. So that was an additional time
15 you went to see Dr. Major, after the June visit?

16 A Yes. I'm looking to see why.

17 Q Under the chief complaint box on 672,
18 it says, Patient was seen in office today for a
19 physical exam only.

20 A That may have been a requirement for my
21 new job.

22 Q Okay. You had to get a physical exam
23 before you went to --

24 A Costa Rica.

25 Q -- Costa Rica?

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1 Okay. And you would have gone to see

2 Dr. --

3 A Major.

4 Q -- Major for that?

5 A Yes.

6 Q And, again, looking at the report of
7 that visit, if we turn to the page 674, there's
8 the ROS section. Again it reports, No fever, no
9 night sweats, no significant weight gain, no
10 significant weight loss, no exercise intolerance,
11 a bunch of other negative responses.

12 And then it again states, She reports
13 no depression, no sleep disturbances, feeling safe
14 in a relationship, no alcohol abuse, no anxiety,
15 no hallucinations and no suicidal -- suicidal
16 thoughts.

17 Correct?

18 A It also says that I report no GERD, no
19 vomiting blood, no hematuria, which are not things
20 that I would have been asked.

21 Q Okay. So you don't believe you were
22 asked about these things?

23 A I do not believe I was asked about
24 these each visit.

25 Q Okay. You were asked about them at

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1 University Hospital?

2 A I did not.

3 Q How about --

4 A I saw that he was board certified.

5 Q How about through his licensure to
6 practice medicine in the state of Maryland?

7 A I did look to see that he was on the
8 Web site for licensed doctors.

9 Q How about whether he was licensed to
10 practice medicine in the Commonwealth of Virginia?

11 A No.

12 Q And how about if he was board certified
13 by the American College of Obstetricians and
14 Gynecologists?

15 A I saw it, but I did not go to the
16 board.

17 Q Okay. Request number 12, turning back
18 to page 791, says, You claim that you suffer from
19 post-traumatic stress disorder as result of
20 allegations against defendants.

21 And you denied that; correct?

22 A Yes.

23 Q You're not claiming post-traumatic
24 stress disorder?

25 A No.

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1 Q Request number 18 at the bottom of 792
2 says, You do not suffer depression as a result of
3 the events giving rise to your claim.

4 And you admit that; correct?

5 A Correct.

6 Q You're not claiming that you suffer
7 from depression as a result of the events
8 involving Dr. Akoda?

9 A No.

10 Q And request number 24 -- I'm jumping
11 ahead a little bit to try to move this along, 794,
12 question number 24, says, You have never been
13 formally diagnosed with depression.

14 And you admit that; correct?

15 A Correct. I did see a doctor after --
16 my family doctor after my sister died who
17 prescribed antidepressants --

18 Q Uh-huh.

19 A -- but I was not formally diagnosed.

20 Q And since June of 2017, no diagnosis or
21 treatment for depression of any kind?

22 A No.

23 Q On page 795, request 31 says, You claim
24 that you suffer from anxiety as a result of your
25 allegations against the defendants.

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1 A Yes.

2 Q And you admit that, so you do say you
3 have anxiety from these issues; correct?

4 A Yes.

5 Q Okay. And 32 says, You claim that
6 you're alleged anxiety has affected your
7 relationship with your family.

8 And you deny that --

9 A Yes.

10 Q -- correct?

11 So you have anxiety, but it's not
12 affected your relationship with your family?

13 A Correct.

14 Q Okay. And 37 on the next page says,
15 You have never been formally diagnosed with
16 anxiety.

17 That's correct?

18 A Correct.

19 Q And 39 says, You claim that you suffer
20 from physical pain as a result of your allegations
21 against the defendants.

22 And that is denied?

23 A That is correct.

24 Q Okay.

25 A That's what I wrote.

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1 Q Is that true today?

2 A Since you brought up the timeline of
3 when my back pain started, I'm not sure that it's
4 true.

5 Q Okay. And this is your reference to
6 your testimony that about a year after your son
7 was born, you started having back pain?

8 A Yes.

9 Q And request number 40 says, You have
10 never been diagnosed with a physical injury
11 resulting from your allegations against the
12 defendants.

13 And that's admitted; correct?

14 A Correct.

15 Q Is that true today?

16 A Again, I don't know if my back pain is
17 related to that because of the timeline.

18 Q Okay. And no doctor has told you that
19 it is related to that --

20 A No.

21 Q -- correct?

22 A But I've not talked to any doctor I've
23 seen for my back pain about Akoda.

24 Q Other than Dr. Major?

25 A Yes, but Dr. Major didn't treat my back